

**U.S. Department of the Interior
Bureau of Land Management
San Juan Public Lands Center
Canyons of the Ancients National Monument
COS07000**

ENVIRONMENTAL ASSESSMENT

NUMBER: DOI-BLM-CO-S010-2010-0026EA

PROJECT NAME: The Conservation Fund - Lower Sand Canyon Acquisition,
COC-74581

PLANNING UNIT: Canyons of the Ancients National Monument, COS07000

LEGAL DESCRIPTION: Montezuma County, Colorado,
New Mexico Principal Meridian,
Section 34: N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, T. 36 N., R. 18 W.
Parcel 561534100028

APPLICANT: Bureau of Land Management

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Background/Introduction: The Bureau of Land Management (BLM) is proposing to purchase one parcel of private land adjacent to the boundaries of Canyons of the Ancients National Monument (Monument). The subject lands, comprising 3.83 acres, are owned by one individual (Maps 1 and 2). Access to the property is via Montezuma County Road G. The property includes a historic stone house (identified as 5MT580 in the Colorado Office of Archaeology and Historic Preservation cultural properties files) (Photo 1), a historic root cellar (Photo 2), and a wooden shed. Public utilities are connected to the house.

Proposed Action: The Proposed Action is for the BLM to purchase the above-described property at the appraised fair market value, at the earliest possible date. The purchase would use appropriated funds from the Land and Water Conservation Fund emergency account for Colorado. The acquired land would be managed as part of Canyons of the Ancients National Monument.

No Action Alternative: The BLM would not purchase the property described above.

PURPOSE AND NEED FOR THE ACTION

Both the previous owner and current owner contacted the BLM and offered to sell the subject property for the fair market value, as determined by an Appraisal conducted by the Department of the Interior's Appraisal Services Directorate. The Appraisal has been delivered and approved.

The subject private land (Photos 3 and 4) is located adjacent to Canyons of the Ancients National Monument and the lower Sand Canyon Trailhead. Increasing public use of the Sand Canyon Trail has created a need for additional parking. Current parking is limited to approximately 100' x 200' on slickrock sandstone adjacent to County Road G. On heavy use days, vehicles are parked at the edge of County Road G and on nearby private land, creating extreme safety hazards and trespass (Photo 5). Acquisition of the private land by the United States would support Monument management goals and eliminate crowded parking and related safety concerns.

THE PURPOSE of the project is to acquire a total of 3.83 acres of private land located adjacent to the boundaries of Canyons of the Ancients National Monument. The acquisition would resolve safety issues related to current limited parking space and provide an opportunity for development of the historic house as an interpretation and visitor contact station for the Sand Canyon Special Recreation Management Area (SRMA).

THE NEED is to resolve parking concerns and to provide visitor services for the Sand Canyon Special Recreation Management Area.

DECISION TO BE MADE

Given the Purpose and Need, the Authorized Officer would review the Proposed Action and Alternatives in order to make the following decision:

- Should the one parcel of private land be acquired and be made a part of the Canyons of the Ancients National Monument?

The No Action Alternative would not resolve parking and visitor services needs and therefore is not in conformance with the Canyons of the Ancients Resource Management Plan; and therefore does not meet the Purpose or Need.

PLAN CONFORMANCE REVIEW

The Proposed Action is subject to and has been reviewed for conformance with the following plan and the Monument Proclamation (43 CFR 1610.5, BLM 1617.3):

Plan: *Canyons of the Ancients National Monument Record of Decision/Resource Management Plan (Monument ROD/RMP)*

Date: June 2010

Page: Pages 7-8, Record of Decision

Language: ***“1.3.4 Recreation Management:** The BLM designates Special Recreation Management Areas (SRMAs) in order to manage unique recreational opportunities, including recreation “niches,” recreation management objectives, character setting conditions, and management strategy. These areas present exceptional opportunities for visitor recreation, as well as for cultural resource interpretation. It is the goal of the BLM to preserve the distinctive character and setting of the Monument. To that end, frontcountry SRMAs will be managed in a manner that protects the natural setting for developed, but primitive, visitor experiences at cultural resource sites...*

The Approved Plan promotes an undeveloped (Outdoor Museum) management strategy for 3 SRMAs. A destination strategy is established for the AHC, Pueblo Sites, and Sand Canyon/Rock Creek SRMAs.”

Page: Page 9, Record of Decision

Language: ***“1.3.6 Acquired Lands:** Under the Approved Plan, the BLM will work with willing sellers in order to acquire private inholdings and edgeholdings. This will be accomplished by means of acquisition, exchange of BLM lands targeted for disposal outside of the Monument, donation, or conservation easement.”*

Page: Pages 75-76, Monument ROD/RMP

Language:

Facilities and Infrastructure
GOALS AND OBJECTIVES
Goal: Develop and maintain the smallest number of facilities and infrastructure necessary in order to provide for public safety and to assist in meeting resource management objectives.
Objectives: <ol style="list-style-type: none"> 1. Coordinate the development and maintenance of facilities and infrastructure with adjacent landowners (including Hovenweep National Monument, the Ute Mountain Ute Reservation, the Navajo Nation, the Utah BLM Monticello Field Office, and private landowners). 2. Ensure that all major BLM facilities are located outside of the Monument in order to protect Monument resources and to provide economic opportunities in the local communities.
MANAGEMENT ACTIONS: ALLOWABLE USES AND ACTIONS
Consider applications for new facilities only if they will serve to protect and/or enhance Monument resources.
Coordinate new facility developments, and existing facility improvements, with the AHC in order to optimally meet the needs and desires of that sector of the recreating public interested in such facilities. (NOTE: Initial developments may include signs, register boxes, trails, and parking.)
Develop visitor contact stations, as determined necessary, outside the boundary of the Monument, and outside of Hovenweep National Monument, in order to mitigate resource impacts and to ensure public safety at high-use areas.

Page: Page 77-78, Monument ROD/RMP

Language:

Lands and Realty
GOALS AND OBJECTIVES
Goal A: Use land tenure adjustments in a manner that protects objects identified in the Proclamation, improves management, and reduces administration costs.
Objectives: <ol style="list-style-type: none"> 3. Identify private land within, and/or adjacent to, the Monument boundary for possible acquisition from willing sellers, if the acquisition will contribute to achieving cultural and/or natural resource goals and objectives.
MANAGEMENT ACTIONS: ALLOWABLE USES AND ACTIONS
Acquire or exchange land only when cultural resources management will be enhanced.
Manage all properties acquired at the time of the signing of the Final RMP/Final EIS ROD, and in the future, in accordance with the laws, rules, regulations, policies, standards, and guidelines applicable to the rest of the Monument.
Work with willing sellers in order to acquire private in-holdings and edge-holdings by means of acquisition, exchange of other BLM lands targeted for disposal outside of the Monument, donation, or conservation easement. When, and/or if, the opportunity arises, acquire private parcels that: <ul style="list-style-type: none"> ▪ adjoin, or are contained within, the Monument boundary; ▪ protect cultural and/or natural resources; ▪ enhance recreation experiences and benefits; ▪ provide additional access to public lands; and/or ▪ contain no, or few, improvements (such as houses, buildings, or facilities), unless they can be used to meet Monument management goals, or they require little or no reclamation.

The Proposed Action addresses the above Goals, Objectives, and Management Actions and is in conformance with the Monument ROD/RMP.

Proclamation: *Proclamation 7317 establishing Canyons of the Ancients National Monument*

Date: June 9, 2000

Language: *The Monument Proclamation states “Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States...”*

The Proclamation language demonstrates the intent to acquire additional land. The Proposed Action is in conformance with Presidential Proclamation 7317.

STANDARDS FOR PUBLIC LAND HEALTH

The subject parcels are private lands. Therefore, no public land health assessments have been conducted on them. The standards for public land health would not apply to the Proposed Action.

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES

No ground disturbance is analyzed in this EA. This analysis focuses on effects of the proposed BLM ownership of the private parcel.

RESOURCE ELEMENTS

The following resource elements are present in the project area, but would not be adversely affected by the Proposed Action for the reasons stated below.

ACCESS

Affected Environment: BLM lands in the project vicinity are adjacent to private properties. Acquisition is mostly beneficial to adjacent BLM land and resources.

Environmental Consequences/Mitigation: Acquisition of the subject property would physically connect the property to other existing BLM-administered public lands and would lead to resolution of parking and access concerns. No reduction in public access will occur and no mitigation measures are identified.

AIR QUALITY

Affected Environment: Air quality in the area of analysis is good, as is typical of undeveloped areas of the western United States. The number of people traveling by car to the area and along McElmo Road is not affected by the potential of increased parking. The proposed action would not contribute to any change in air quality.

Environmental Consequences/Mitigation: None required.

ENVIRONMENTAL JUSTICE

Affected Environment: On February 11, 1994, the President issued Executive Order No. 12898 on environmental justice as it affects minority and low income populations. The purpose of the order is to identify and address, as appropriate, disproportionately high and adverse human health and environmental effects of programs, policies, or activities on minority or low income populations. In the project region, minority populations including Native Americans and Hispanics are present. These populations also tend to be the low income groups in the area. Since none of these groups would be displaced by the acquisition of the subject parcel, the proposed action is in conformance with the Executive Order.

Environmental Consequences/Mitigation: None required.

CULTURAL RESOURCES

Affected Environment: The property includes a historic stone house (5MT580) and a historic sod-roofed room. A previous owner, Mrs. Ed Baltes, wrote the following history.

“This rock house was built by Mr. Baxstrom and his son. According to Homestead Certificate #265, Mr. James D. Lamb homesteaded 160 acres and this homestead certificate was signed by President Grover Cleveland on July 18, 1893. Most of the 160 acres has been sold over the years and 3.83 acres remain. The front part of this rock house was built in 1900 and the back part in about 1915. This house was used as a stagecoach stop in the early 1900s. Due to the rock house’s location half way between Dolores and Bluff, many freight wagons and its passengers used the house as an overnight stop. Mr. Lamb provided free room and board for many; including stagecoach passengers, the local postmaster, and the local doctor.

Mr. James Lamb was born in 1865 and died in 1955. Mr. Lamb was a rancher and raised sheep in McElmo Canyon. Mr. Lamb was married to Mary E. Stiles. Mary E. Lamb (Stiles) had one son, Charlie and one daughter, Bessie before she married Mr. Lamb. Mr. Lamb is buried in a private cemetery on BLM land just yards from the rock house. Others buried in the ‘Lamb Cemetery’ are Mary E. Lamb, an infant son of James D. & Mary E. Lamb, Tom Lamb (brother of James D. Lamb).

There are two civil war veterans, Mr. Woods and Mr. Farron buried next to the ‘Lamb Cemetery’ with unmarked graves. These two veterans lived in an old stone house with sod roof still standing on the property. The State of Colorado paid Mr. Lamb \$8.00 per month for room and board for these two veterans. Apparently, Mr. Woods and Mr. Farron did not like the living quarters provided by the State of Colorado and they lived in the old stone home until their deaths and are buried next to the Lamb family in the ‘Lamb Cemetery’.”

Environmental Consequences/Mitigation: Under ownership of the BLM, the historic house and sod-roofed room would be protected under Federal historic preservation laws. The historic structures on the property could be developed and maintained as an interpretation and visitor contact facility for the Sand Canyon SRMA.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: A Russian Knapweed infestation was identified on the subject property (< 200 sq. ft.) immediately adjacent to County Road G. Russian Knapweed is an invasive species known to exist on private lands and Canyons of the Ancients National Monument lands in the Four Corners area. It is generally found on locations ranging from .10 acre to 5 acres in size. This species is most commonly found on disturbed sites (homesteads, roadsides, etc.).

Environmental Consequences/Mitigation: A maintenance program requiring multiple herbicide treatments would be necessary to reduce/eliminate propagation and spread of Russian Knapweed. Access for treatment would be from County Road G.

MIGRATORY BIRDS

Affected Environment: The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-712 as supplemented) prohibits the unregulated "take" of most native bird species except gallinaceous birds. It covers direct harm to birds rather than including harm to habitat. The lead enforcement agency, the U.S. Fish and Wildlife Service (USFWS), publishes a list, "Birds of Conservation Concern". Avoiding harm to the species on this list will contribute substantially to showing diligence to the requirements of the Migratory Bird Treaty Act. The Birds of Conservation Concern (BCC) (USFWS 2008) with potential to be found on these parcels include: Brewer's sparrow, Virginia's warbler, and ferruginous hawk.

Environmental Consequences/Mitigation: The proximity of this parcel to the County road and the associated traffic disturbance may preclude the use of this area by some birds. However, individuals are certainly found, especially where this parcel adjoins larger blocks of habitat. This acquisition would have no impact on these species. Development of parking and trails into the Sand Canyon area would be analyzed prior to any surface disturbance.

MINERALS - FLUID

Affected Environment: Fluid minerals are leased to Kinder Morgan and recorded as Lease # COC 15905.

Environmental Consequences/Mitigation: This acquisition would have no impact on these leases. The property size, topography and proximity to a county road make the lands unsuitable for fluid minerals development.

NOISE

Affected Environment: There are private residences and farmland adjacent to and near the project area. The Sand Canyon SRMA is day use only and no overnight camping or parking is allowed.

Environmental Consequences/Mitigation: Parking is day use only. Noise is not expected to increase as a result of the acquisition.

RANGELAND MANAGEMENT

Affected Environment: The Monument RMP withdrew the adjacent Sand Canyon West allotment from grazing. The Rock Creek allotment just west of the proposed acquisition will be withdrawn when the current permittee is no longer able to maintain a grazing operation.

Environmental Consequences/Mitigation: The acquisition parcel would not be included in any BLM grazing allotments.

REALTY AUTHORIZATIONS

Affected Environment: Montezuma County Road G is immediately south and adjacent to the property. There are no known easements, encroachments, or restrictions on the property. The county has not maintained associated ditches or culverts in many years.

An eight-month reservation of use will be attached to the purchase agreement, with the owner agreeing to maintain and care for the property as part of the agreement.

Environmental Consequences/Mitigation: BLM and Montezuma county should work together to establish a county right-of-way (ROW) for County Road G. Once a ROW is established the BLM should survey the north county road easement to ensure no BLM improvements are completed within the ROW.

RECREATION

Affected Environment: Sand Canyon is the most extensively used SRMA in the Monument. Recreational use includes hiking and viewing cultural resource sites, mountain biking and horseback riding. Horseback riders require adequate parking and turning space for full-size pick-up trucks with horse trailers. Recreation permittees with outfitting/guiding permits provide services for horseback riding, mountain biking, and guided archeological tours.

Environmental Consequences/Mitigation: Acquisition will not affect current recreational use of the Sand Canyon SRMA. The acquisition would resolve safety issues related to current limited parking space and provide an opportunity for development of the historic house as an interpretation and visitor contact station for the Sand Canyon SRMA. If developed, information regarding Monument resources and visitor ethics in the Sand Canyon area would be more readily

available to visitors. Currently visitor services are provided at the Anasazi Heritage Center, 30 miles away.

SOCIO-ECONOMICS

Affected Environment: Montezuma County is located in the southwest corner of Colorado and contains 1.3 million acres. Less than one-third of the land area in Montezuma County is privately owned (Preston 2005).

There are three key issues related to socioeconomic analysis for the project area: oil and gas development, livestock grazing management, and recreation and transportation management. Recreation and transportation management are the only issues associated with this project.

Recent studies of tourism employment found that 20 percent of total employment in Montezuma County is related to tourism. In Montezuma County, 12 percent of total employment is related to public lands. Tourism generates tax income through sales and lodging taxes and, in 2000, travel related sources generated 38 percent of State and local taxes in Montezuma County. Recreation and transportation management actions are linked to employment, income, and population through the tourism sector.

The project area is being affected by larger social trends that are changing settlement patterns and community groups throughout the southwestern United States. Relevant to this project is:

- Amenity migration: Newcomers are moving in to the area to take advantage of the unique natural resources, quality of life, and other amenities that the region offers. Many of these newcomers are retirees or second home owners who bring along their pensions and other retirement benefits. As non-labor income, it also serves to diversify and stabilize total personal income in the area (CEDS 2002).

Environmental Consequences: The transition of private land into public land would expand public recreation opportunities. While an increase in revenue associated with tourism may not be quantifiable, enhanced outfitter/guide opportunities may record economic benefits.

Mitigation: Payment in lieu of taxes (PILT) funds associated with newly acquired lands would be provided to the county on an annual basis.

TERRESTRIAL AND AQUATIC WILDLIFE

Affected Environment: A diversity of wildlife species may be found on or near this parcel including: the bull snake, striped whipsnake, red-spotted toads, and collared lizards; horned lark, sage thrasher, vesper sparrow, and western meadowlark; deer, red and gray fox, raccoon, desert shrew, woodrats, the ringtail, and several species of mice.

Birds in this environment are primarily influenced by extreme and irregular fluctuations in precipitation and ecosystem productivity. As a result, they are highly opportunistic and ecologically adaptable (Brock 1993). The condition of the grasses and forbs throughout the project area would affect the rodent, rabbit, and prairie dog populations, since these vegetation types are the forage base for these animals. Animals that utilize these vegetation types can illustrate extremes in numbers, fluctuating with available food resources and weather conditions. Numerous studies have illustrated the cause and effect relationship between healthy carnivore populations and availability of prey.

Environmental Consequences/Mitigation: The proximity of this parcel to the County road and the associated traffic disturbance precludes the use of this area by some animals. However, individuals are certainly found, especially where this parcel adjoins larger blocks of habitat. This acquisition would have no impact on these species. Development of parking and trails into the Sand Canyon area would be analyzed prior to any surface disturbance.

THREATENED, ENDANGERED, AND SENSITIVE SPECIES

Affected Environment: This land acquisition falls within the range of several listed threatened or endangered species in Colorado and eastern Utah but the Project Area does not provide suitable habitat for any listed species (San Juan Public Lands Unit Species List, 7/14/10). As described in the Southwest Willow Flycatcher Recovery Plan (2002), this land parcel is within the Upper Colorado Recovery Unit. However, there is no habitat for the willow flycatcher on this property.

Environmental Consequences/Mitigation: All federally listed threatened and endangered species and BLM sensitive species were considered for this analysis. Water depletions are not associated with land acquisitions, so there would be no effect to listed fishes. The proximity of this parcel to the County road and the associated traffic disturbance precludes the use of this area by some animals. However, several species are likely to be found on adjacent BLM lands where habitat is more extensive. This acquisition would have no impact on these species. Development of parking and trails into the Sand Canyon area would be analyzed prior to any surface disturbance.

VEGETATION

Affected Environment: Vegetation is predominantly sagebrush with some domestic plantings near the house. Native species include big sagebrush, rubber rabbitbrush, four-wing saltbush, sand dropseed, snakeweed and prickly pear cactus. Cheat grass is also present.

Environmental Consequences / Mitigation: Acquisition is unlikely to impact any significant vegetation communities. Development of parking and trails into the Sand Canyon area would be analyzed prior to any surface disturbance.

WATER QUALITY, SURFACE AND GROUND

Affected Environment: Surface waters on the subject property are ephemeral. They flow in response to runoff events and may reach McElmo Creek. These waters are currently meeting the State of Colorado aquatic life warm 2, recreation E and agriculture beneficial uses.

Environmental Consequences/Mitigation: Surface waters would continue to meet the state's designated beneficial uses under the Proposed Action. Prior to parking development, surface waters would be analyzed.

WATER RIGHTS

Affected Environment: There are two water allocations associated with the property. The first allocation is 1/30th cubic foot per second from the Rock Creek Ditch. Rock Creek Ditch holds the Number 1 water rights priority on McElmo Creek with a March 20, 1888 appropriation date. The 1/30 cfs is presently used to irrigate lawns and gardens on the subject property, and the water right is in good standing. The second allocation is water well permit number 28111. A well was constructed for use with the stone house located on the property in 1900. The current owner of the property submitted an application to register this well with the State of Colorado in 2009, and the registration was accepted as a historic well that predates the 1972 requirement for obtaining well permits prior to construction. The well permit is for 10 gallons per minute for in-house domestic use and fire protection. The well permit has not been converted to an adjudicated water right.

Environmental Consequences/Mitigation: The BLM intends to use the surface water right in the same fashion as it has historically been used for irrigating lawns and gardens around the stone house. Accordingly, BLM does not anticipate any hydrologic changes from current conditions on the property, and BLM does not anticipate any impacts to other owners of water rights from the Rock Creek Ditch. Minor maintenance on ditch infrastructure may be required to keep the ditch in good operating condition as it crosses the property. BLM also intends to continue to use the well as it has been historically used; i.e. primarily for domestic use. Testing of the well will be required to ensure that it meets federal standards for domestic use. Maintenance on the well infrastructure may be required to keep the well bore and well infrastructure in good operating condition. A change of well ownership will be filed with the State of Colorado Division of Water Resources after the purchase of the property is complete.

FOR THE FOLLOWING RESOURCES, BLM resource specialists have determined that the following elements of the human environment are not present in the area or are not affected by the Proposed Action and are not discussed in this EA.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN

CADASTRAL SURVEY

FARMLANDS, PRIME AND UNIQUE

FIRE

FLOODPLAINS

FOREST MANAGEMENT

GEOLOGY

LAW ENFORCEMENT

NATIVE AMERICAN RELIGIOUS CONCERNS

PALEONTOLOGY

SOILS

TRANSPORTATION

VISUAL RESOURCES

WASTES, HAZARDOUS OR SOLID (verified by ASTM Phase I Environmental Site Assessment 11/18/2008)

WETLANDS AND RIPARIAN ZONES

WILD AND SCENIC RIVERS

WILDERNESS

CUMULATIVE IMPACTS SUMMARY

The acquisition of this parcel would contribute towards a positive cumulative effect by protecting historic structures; by enhancing recreation opportunities and the socio-economic value of the area; by providing options for resolving safety and parking concerns; and by providing options for enhancing public education and interpretation opportunities in the Sand Canyon SRMA.

REFERENCES CITED

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Preston, Mike. 2005. Office of Community Services, Fort Lewis College. "Productive Harmony Analysis; Interpretive Framework for Social and Economic Assessment of Southwest Colorado Communities and San Juan Public Lands". July.

U.S. Fish and Wildlife Service. 2002. Final Recovery Plan Southwestern Willow Flycatcher. Southwestern Willow Flycatcher Recovery Team Technical Subgroup, Albuquerque, NM.

U.S. Fish and Wildlife Service. 2008. Birds of Conservation Concern. U.S. Department of the Interior, Fish and Wildlife Service, Division of Migratory Bird Management, Arlington, Virginia.

PERSONS / AGENCIES CONSULTED

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